



## Finland

### Country Reports on Human Rights Practices - [2003](#)

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Finland is a constitutional republic with a directly elected head of state (President), a Parliament, a head of government (Prime Minister), and an independent judiciary.

The Government maintained effective control of the police, all security organizations, and the armed forces. There were no reports that security forces committed human rights abuses.

The economy was primarily market-based, and it provided citizens with a high standard of living. The population was approximately 5.2 million, and economic growth was estimated at 1.4 percent.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse. Societal violence against women was a problem, which the Government took steps to address. There were reports of trafficking in persons for prostitution.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

###### b. Disappearance

There were no reports of politically motivated disappearances.

###### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and there were no reports that government officials employed them.

Some persons reported incidents of police discrimination (see Section 5).

Prison conditions generally met international standards. Male and female prisoners were held separately. Juveniles were held separately from adults, and pretrial detainees were held separately from convicted prisoners.

The Government permits visits by independent human rights observers.

###### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

The police force is a national force under the Interior Ministry. It effectively carried out its responsibilities for law enforcement and maintenance of order, although its effectiveness, for instance, in compiling reliable statistics, was

somewhat compromised by chronic underfunding.

Warrants are required for arrest. If an individual is arrested while committing a crime, a warrant must be obtained within 3 days. Once arrested the accused must be given a court hearing within 3 days. There was no system of bail except for very serious crimes. Preventive detention was permitted only during a declared state of war for narrowly defined offenses, such as treason, mutiny, and arms trafficking.

The law prohibits forced exile, and the Government did not employ it.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judiciary consists of the Supreme Court, the Supreme Administrative Court, and the lower courts. The President appoints Supreme Court justices, who in turn appoint the lower court judges. Supreme Court justices may serve until their retirement, which usually is at age 63, although justices may serve until age 67.

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Local courts may conduct a closed trial in juvenile, matrimonial, and guardianship cases, or when publicity would offend morality or endanger the security of the state. In national security cases, the judge may withhold from the public any or all information pertaining to charges, verdicts, and sentences. The law provides for sanctions against violators of such restrictions.

There were no reports of political prisoners.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, and the Government generally respected these prohibitions in practice.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to provide freedom of speech and of the press, including academic freedom.

The independent media was active and expressed a wide variety of views without government restriction. Internet access was available and unrestricted.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respected these rights in practice.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. There are two state churches: The Evangelical Lutheran Church and the Orthodox Church. Nontraditional religious groups practiced their religion freely.

All citizens who belong to one of the two state churches pay, as part of their income tax, a church tax. Those who do not want to pay the tax must inform the applicable state church that they are leaving that church. Nontraditional religious groups were eligible for some tax relief, provided they were registered with, and recognized by, the Government as religious communities.

The Religious Freedom Act, enacted in February, includes regulations on registered religious communities. Their

autonomy is increased, and the law on associations is now extensively applied to them. As under the old law, a minimum of 20 members is required for a religious community to be officially recognized. The new law also no longer prevents a person from being a member of several religious communities simultaneously.

Instruction in the tenets of the state religions is incorporated into the curriculum of all public schools; however, students who are not members of the state churches may substitute general classes on religion and philosophy.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The law provides for the granting of refugee and asylum status to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status or asylum. The Government cooperated with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. Approved refugees and asylum seekers were processed directly for residence. The law promotes the integration of immigrants who have been granted asylum. The Government also provides temporary protection to certain individuals who do not qualify as refugees or asylees.

A total of 1,870 applications for asylum were submitted by July 31, compared with 3,129 in all of 2002. There were 275 applications by Bulgarian Roma, 266 by persons from the former Federal Republic of Yugoslavia, 117 by Iranians, 189 by Russians, 130 by Turks, and smaller numbers by other foreign nationals. By July 31, the Government had processed 1,870 applications; it granted asylum to 6 persons and residence permits to 247, of whom 71 received asylum on the basis of need for protection. The authorities refused 1,353 applications. Following an initial asylum examination by the police (which can take several months), asylum applications must be heard within 7 days, and applicants have 8 days to appeal a decision.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their Government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Elections to the 200-seat Parliament were held on March 16 and led to the formation of a new coalition Government.

Women were well represented at all levels of government. There were 74 women in the 200-member Parliament and 8 in the 18-member Cabinet. The President was a woman. A woman was elected Prime Minister in the March parliamentary elections but resigned in June due to a political scandal. The law requires a minimum of 40 percent membership from each sex on all state committees, commissions, and appointed municipal bodies.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were very cooperative and responsive to their views.

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on sex, age, origin, language, conviction, opinion, or disability, and the Government effectively enforced these prohibitions.

##### Women

Violence against women continued to be a problem. Although police statistics annually report around 3,000 cases of domestic violence (with one-fifth of the victims being men), research indicated the actual incidence may be significantly higher. The law criminalizes rape, spousal rape, and domestic abuse, and in recent years courts slightly increased sentences for rape. Unconditional sentences have been lengthened by 6 months: Up from 18 months to an average of 2 years.

The number of calls to the police concerned with domestic violence was not compiled centrally, but it was estimated at 10,000 to 12,000 annually, an estimate that shelter officials believed understated by one-half the number of actual incidents. The Union of Shelter Homes, as well as the municipalities, maintained 23 shelter homes for female, male, adult, and child victims of violence. Officials also established shelter homes for minors, primarily 15- to 18-year-olds. Most persons seeking shelter were women between 25 and 35 years of age, either married or in a common-law relationship, and nearly one-third were immigrants.

The number of reported rapes was estimated to be approximately 550. The true number of rapes remained unknown since some victims were reluctant to come forward, particularly if the victim knew the perpetrator, and three of every four rapes were committed by a known assailant.

An Interior Ministry investigation into reports of "prostitution camps" determined that the activity involved prostitutes renting facilities at tourist campsites in which to meet clients. Russian crime syndicates apparently organized this activity.

Trafficking in women for the purposes of sexual exploitation was a problem (see Section 6.f.).

Administration of equality issues was divided between two units in the Ministry of Social Affairs and Health: The Office of the Ombudsman for Equality and the Gender Equality Unit. The Ombudsman for Equality continued to operate within the Ministry of Social Affairs and Health as an independent authority monitoring compliance with the Equality Act. The Gender Equality Unit had responsibility to prepare and develop the Government's equality policy in cooperation with the other ministries, to help mainstream gender equality, and to handle tasks related to the European Union's (EU) equality law and policy and international activities. The Government's Council for Equality coordinated and sponsored legislation to meet the needs of women as workers, mothers, widows, or retirees.

The Constitution calls for the promotion of gender equality in social activities and working life--the latter particularly in the determination of remuneration--and the country has a comprehensive equal rights law; however, in practice, comparable worth has not been implemented because of the difficulty of establishing criteria. Women's average earnings were 82 percent of those of men, and women tended to be employed in lower paying occupations. While women individually have attained leadership positions in the private and public sectors, there were disproportionately fewer women in top management jobs. Industry and finance, the labor movement, and some government ministries remained male dominated. More than half of the country's physicians and over 65 percent of the medical students were women. Women served in the armed forces. Of the 79 complaints processed by the government's Equality Ombudsman between January 1 and September 25, 16 were judged to be violations of the law. In such cases, the law provides for correction of the situation as well as compensation for the complainant.

#### Children

The Government was strongly committed to children's rights and welfare; it amply funded systems of public education and medical care. Education is free and compulsory for children age 7 to 16. More than 99 percent of children between these ages attended school, and girls and boys were treated equally in the education system.

There were a few reports of abuse of children, although there was no societal pattern of such abuse, and the law reflects the national consensus supporting children's rights.

There were reports of trafficking in children for prostitution (see Section 6.f.).

#### Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, or in the provision of other state services. The deaf and the mute were provided 120 to 240 hours of interpretation services annually. The Government provided subsidized public housing to persons with severe disabilities.

Although the law requires that new public buildings be accessible to persons with physical disabilities, many older buildings remained inaccessible. No such law applies to public transportation, but municipalities subsidized measures to improve accessibility to public vehicles. Local governments maintained a free transport service that provided a minimum of 18 free trips per month for each person with disabilities.

#### Indigenous People

Sami (Lapps), who constituted less than 0.1 percent of the population, benefited from legal provisions that provide for the protection of minority rights and customs. The Constitution provides for the protection of Sami language and culture, and the Government financially supported Sami culture. Sami received subsidies to enable them to continue their traditional lifestyle, which revolves around reindeer herding. Sami have political and civil rights, and they were able to participate in decisions affecting their economic and cultural interests. The use of the Sami language, a minority language that was used regionally, is permitted with administrative and judicial authorities, and in schools, the media, economic and commercial life, and cultural activities.

#### National/Racial/Ethnic Minorities

At the end of 2002, the number of immigrants was 103,700 or 2 percent of the population. There were occasional reports of fights between youngsters of different ethnic groups. Small skinhead groups were most likely to be involved in such fights. Somalis and Muslim immigrants appeared to be most at risk. There were also reports of fights between rival immigrant youth groups. The Government continued to take steps to deal with this issue.

An academic study on racism in the country showed that nearly one-third of the interviewed 3,595 immigrants claimed to have experienced racism in the 12 months preceding the study. The respondents represented the seven chief ethnic-immigrant groups: Arabs, Kosovar Albanians, Somalis, Vietnamese, Russians, Estonians, and Ingrians (ethnic Finns from Russia). Most of the reported incidents (59 percent) were minor, e.g., hearing racial epithets in public places, while 10 percent were more serious, including some assaults. Approximately 70 percent of those who claimed to have experienced racism had not reported it to the police, explaining that they had experienced police discrimination. All government ministries included anti-racism provisions in their educational, information, and personnel policy programs and included relevant measures in those programs. Ministries must lower the threshold for intervention in cases of racism and promote appropriate administrative practices. In addition, the Government monitored police, border guard officers, and teachers in their treatment of immigrant groups.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution provides for the rights of trade unions to organize and assemble peacefully. Approximately 79 percent of the work force was organized. All unions were independent of the Government and political parties.

The law protects workers against anti-union discrimination. Collective bargaining agreements as well as labor law, both of which were enforced, govern complaint resolution.

Trade unions freely affiliated with international bodies.

##### b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively. Collective bargaining agreements usually were based on income policy agreements between employee and employer central organizations and the Government.

The law grants public sector employees the right to strike, with some exceptions for employees who provide essential services. A strike is legal when an employment contract is not in effect and the action is directed against the contract, but a strike would be illegal after a contract agreed to by labor, employers, and the Government is in effect. Fines were imposed for illegal striking. In the first 6 months of the year, there were 53 strikes, only 2 of which were legal. Nurses in the Åland Islands went on strike at the beginning of June and did not return to work until late September. The conflict concerned pay, and was not resolved to the full satisfaction of the strikers.

There are no export processing zones.

##### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children; however, there were reports that persons were trafficked for prostitution (see Section 6.f.).

##### d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits youths under 16 years of age from working more than 6 hours a day or at night. The Labor Ministry enforces child labor regulations; there were virtually no complaints of the exploitation of children in the work force.

#### e. Acceptable Conditions of Work

There is no legislated minimum wage, but the law requires all employers, including nonunionized ones, to meet the minimum wages agreed to in collective bargaining agreements in each industrial sector. These minimum wages generally provided a decent standard of living for a worker and family.

The legal workweek consists of 5 days not exceeding 40 hours. Employees working shifts or during the weekend are entitled to a 24-hour rest period during the week. The law was enforced effectively as a minimum, and many workers enjoyed stronger benefits through effectively enforced collective bargaining agreements.

The Government sets occupational health and safety standards, and the Labor Ministry effectively enforced them. Workers may refuse dangerous work situations without risk of penalty.

#### f. Trafficking in Persons

The criminal law does not contain specific provisions against trafficking in persons, although the activity is covered by other legislation; however, there were reports that persons were trafficked for prostitution.

Provisions in the Criminal Code that may be used against traffickers include deprivation of liberty, aggravated deprivation of liberty, and kidnapping, provisions on the purchase of sexual services from a young person, and the provisions on procurement. There were some investigations of alleged prostitution rings; however, there were no prosecutions.

An inter-ministerial working group appointed by the Justice Ministry completed drafting new anti-trafficking legislation. The draft contains tougher sentencing guidelines that will enable prosecutors and law enforcement to use electronic surveillance methods to investigate traffickers, not possible under the legal system's strong privacy provisions and emphasis on protection of civil liberties.

There were reports that persons were trafficked to and through the country. Most trafficking involved women and girls from Russia and Estonia. Police estimated that 4,000 to 6,000 citizens of those states entered the country for prostitution each year; ages of most of the women ranged between 21 to 30, but minors were also among the victims. Many foreign women working as prostitutes were trafficked into the country by Russian organized crime syndicates. Although some of the women may have expected to work in such jobs as domestic servants or waitresses, most were aware that they would work as prostitutes. Economic coercion and exploitation of poor women seemed to play a larger role in trafficking than physical coercion or deception. The Schengen Treaty, which allows travelers already within EU borders to travel to any other EU country without inspection, facilitated the use of the country as a transit point for persons trafficked from Russia and the Baltics.

The Government and nongovernmental organizations (NGOs) increased efforts to combat trafficking. The Government's working group on illegal immigration also focuses on trafficking; it consists of Interior Ministry, police, border control, and immigration authorities. Trafficking victims may seek help from shelters operated by NGOs for battered women; however, space was limited, and NGOs with concerns about security may have been reluctant to accommodate them.

The Government also established a National Action Plan to combat trafficking and announced that it will create an office of Special Advocate to ensure trafficking victims receive material assistance and legal counseling. The plan emphasizes a multilateral and regional approach to anti-trafficking efforts, involving projects such as a program to identify at-risk women and girls in Russia's border areas and provide them with economic alternatives to prostitution.

In June, the Government co-sponsored a conference, "Stop Child Trafficking: Modern-Day Slavery," which brought together more than 150 participants from 19 nations in Helsinki to share experiences and best practices in combating trafficking in children. Attendees included government officials, law enforcement officers, journalists, and NGOs. President Halonen addressed the conference and publicly declared trafficking a top priority for her administration.